


Haines Borough
Borough Assembly Meeting #288
March 24, 2015
MINUTES

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **HILL** called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL**

Present: Mayor Jan **HILL**, and Assembly Members Diana **LAPHAM**, Joanne **WATERMAN**, Ron **JACKSON**, Mike **CASE**, Dave **BERRY, Jr.**, and George **CAMPBELL**.

Staff Present: David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Bill **MUSSER**/Chief of Police, Carlos **JIMENEZ**/Director of Public Facilities, Shawn **BELL**/Interim Harbormaster, Helen **ALTEN**/Museum Director, and Patty **BROWN**/Library Director.

Visitors Present: Tom **MORPHET**/CVN, Margaret **FRIEDENAU**/KHNS, Dick **SOMERVILLE**/PND, Jim and Deb **STANFORD**, Fred **GRAY**, Dana and Tish **HALLETT**, Dean **LARI**, Mike **DENKER**, Greg and Marianne **RASMUSSEN**, Stephanie **SCOTT**, Diane **La COURSE**, Debra **SCHNABEL**, Norm **HUGHES**, Greg **RUSSELL**, Greg **PALMIERI**, and others.

3. **APPROVAL OF AGENDA & CONSENT AGENDA**

The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 9A – Planning Commission Minutes
- 9B – HDT RMSA Board Report & Minutes
- 11A1 – Resolution 15-03-616
- 11A2 – Resolution 15-03-617
- 11A3 – Resolution 15-03-618
- 11B1 – Ordinance 15-03-403
- 11B2 – Ordinance 15-03-404
- 11C2 – Reschedule Ordinance 15-02-401 Hearing

Motion: **LAPHAM** moved to “amend the agenda/consent agenda to keep item 11A3 Resolution 15-03-618 on the consent agenda but replace it in its entirety with the substitute resolution provided in the assembly folders.”

Primary Amendment: **JACKSON** moved to “reword the resolution statement (last paragraph) to read as follows:

***NOW, THEREFORE BE IT RESOLVED**, that the Borough Assembly hereby urges the Senate Finance Committee to provide support to the Division of Forestry to maintain an office in Haines to manage the 286,000 acre Haines State Forest by retaining at least one employee in the Haines Office.”*

Discussion ensued and the clerk advised the mayor the item should be removed from the consent agenda since it was no longer a simple amendment.

Motion: **CASE** moved to “remove Item 11A3 from the consent agenda,” and the motion carried unanimously.

The clerk clarified that, although unusual procedure, the pending motions would be picked up during that agenda item.

Motion: **CASE** moved to “approve the agenda/consent agenda, as amended,” and the motion carried unanimously.

*4. **APPROVAL OF MINUTES** – 3/10/15 Regular

The motion adopted by approval of the consent agenda: “approve minutes of the 3/10/15 borough assembly regular meeting.” [Clerk’s note for the record: the minutes were amended to include text to show when the mayor assumed the role of presiding officer for that meeting.]

5. **PUBLIC COMMENTS**

SCHNABEL – interested in making comments during agenda item 11A3.

J.STANFORD, M.RASMUSSEN, SUTCLIFFE DIAZ, G.RASMUSSEN, T.HALLETT, D.HALLETT, DENKER, and SCOTT – support the borough maintaining ownership of the Mosquito Lake facility and making it available for the community's use. **D.HALLETT** distributed a "friends of the facility" brochure and asked for assembly action in the form of two resolutions.

LARI – thankful for police department audit. He has issues with the police department and the current police chief. He began to make disparaging remarks about personnel, so the mayor asked him to stop.

DENKER – still awaiting response to his request concerning port and harbor advisory committee (PHAC) designated seats. He is also concerned about the lack of minutes as well as minutes that are incomplete. Boards need training. Additionally, he has concerns with advisory groups engaging in activities outside of public meetings. He provided a copy of his written comments for the record.

SCOTT – attended the CPE meeting last week, and it was confusing. She and others thought it was a finance committee meeting. It should have been clearly and publicly noticed.

HUGHES – was never informed of the deficiency of his PHAC meeting minutes. He encouraged the mayor and staff to help the advisory groups comply with code. He wants to do his best to serve the public in the correct way. He is a volunteer.

MORPHET – There seems to be a break-down in communication with some of the borough's large projects such as the harbor expansion.

CASE asked that the minutes reflect **LARI** was asked by the mayor to stop casting aspersions on individuals rather than to stop talking about a borough department.

6. **MAYOR'S COMMENTS/REPORT**

A. ***Proclamation – Operation Clean Sweep, May 1-2, 2015***

Mayor **HILL** explained the proclamation will be issued in April.

The mayor recapped her recent attendance at the Southeast Conference Mid-Session meetings in Juneau. Additionally, in response to the harbor project feedback being received, she is recommending the issue of Lookout Park be moved to the planning commission with a request for them to work on it with the parks and recreation advisory committee.

7. **PUBLIC HEARINGS**

A. **Ordinance 15-03-402** – First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 Subsection 3.80.090 to modify the threshold for eligibility for quarterly sales tax filing.

Mayor **HILL** opened the public hearing at 7:32 p.m.

STANFORD – he is a small contractor and appreciates being able to file quarterly.

Hearing no further comments, the mayor closed the public hearing at 7:33 p.m.

Motion: **CAMPBELL** moved to "advance Ordinance 15-03-402 to a second public hearing on 4/14/15," and the motion carried unanimously.

8. **STAFF/FACILITY REPORTS**

A. ***Borough Manager – 3/24/15 Report***

SOSA summarized his written report. He introduced Greg Russell who is conducting the police department management audit.

PND – Cost of Mitigation, Lookout Park & Sewer Outfall

SOMERVILLE provided an update on the 65% harbor expansion plans (Concept 14 authorized by the assembly).

CAMPBELL moved to "extend the comment period until the next assembly meeting," and the motion FAILED 1-5 with **BERRY, LAPHAM, JACKSON, CASE,** and **WATERMAN** opposed.

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- * A. **Planning Commission** – *Minutes of 2/12/15*
- * B. **HDT RMSA Board** – *Annual Report & Minutes of 3/14/15*
- C. **Assembly Standing Committee Reports**

1. **GAS Committee Report – Temporary Residence Permits**

LAPHAM noted the written report in the meeting packet. The committee will meet again to continue work on the temporary residence permit ordinance.

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS

A. Resolutions

* 1. Resolution 15-03-616

A Resolution of the Haines Borough Assembly adopting written findings of the March 10, 2015 appeal hearing of the Nelson nuisance abatement order levying additional fines.

The motion adopted by approval of the consent agenda: "adopt Resolution 15-03-616."

* 2. Resolution 15-03-617

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Cues NW in the amount of \$43,202 for the purchase and delivery of a sewer camera for inspecting the inside of sewer mains.

The motion adopted by approval of the consent agenda: "adopt Resolution 15-03-617."

3. Resolution 15-03-618

A Resolution of the Haines Borough Assembly requesting the Senate Finance Committee support the Division of Forestry Office in Haines by funding the two existing positions managing the Haines State Forest surrounding the local communities.

Motion: **CASE** moved to "adopt Resolution 15-03-618," and it was amended to replace the resolution in its entirety with the substitute document provided in the assembly's meeting folders. The motion as amended carried unanimously.

There was no objection by the group to dispense with all pending amendment motions on the table made during approval of the agenda (see agenda item 3).

The following public comment was made prior to adoption of the resolution:

SCHNABEL - The Chamber of Commerce sent a letter to the legislature requesting the state to locate its southeast regional forestry office in Haines.

Mayor **HILL** suggested a letter from the mayor to the state in support of the Chamber's request in addition to the assembly adopting the resolution. No objection was expressed.

B. Ordinances for Introduction

* 1. Ordinance 15-03-403

An Ordinance of the Haines Borough classifying for disposal the borough-owned property known as the Human Resource Building.

The motion adopted by approval of the consent agenda: "introduce Ordinance 15-03-403 and schedule a first public hearing for 4/14/15 and a second public hearing for 4/28/15."

* 2. Ordinance 15-03-404

An Ordinance of the Haines Borough amending Haines Borough Code Sub-Section 16.28.010(D) to modify prohibited acts for port and harbor facility users.

The motion adopted by approval of the consent agenda: "introduce Ordinance 15-03-404 and schedule a first public hearing for 4/14/15 and a second public hearing for 4/28/15."

C. Other New Business

1. **Board Appointments**

Note: an appointment application was received for a seat on the museum board. The mayor sought assembly confirmation.

Motion: CASE moved to "confirm the mayor's appointment of Diana Kelm to the Sheldon Museum Board of Trustees for a term ending 11/30/17," and the motion carried unanimously.

* 2. **Community Purpose Exemption Ordinance – Reschedule Second Hearing**

Note: on 3/10, this ordinance was referred to the finance committee. That committee met on 3/16 and the manager's working group met on 3/19. Additional time was needed, therefore it was requested the second hearing be pushed back.

The motion adopted by approval of the consent agenda: "Reschedule the second public hearing for Ordinance 15-02-401 from 4/14 to 4/28/15.

12. **CORRESPONDENCE/REQUESTS** - None

13. **SET MEETING DATES**

A. **Government Affairs & Services Committee** – Thursday, April 2, 5:30 p.m., Topic: Temporary Residence Permits

B. **Finance Committee** – Wednesday, April 8, 4pm, Topic: Community Purpose Exemptions

14. **PUBLIC COMMENTS**

DENKER – volunteered to assist **HUGHES** by attending the PHAC meetings to take minutes.

SCHNABEL – dislikes the idea of spending \$19m on a harbor that cannot be used because there is no money to build the ramps and floats to make it work. It's hard to see the assembly advance it without a plan to complete it. Also, she asked the assembly to direct the manager to look into the possible restoration of the personal business property tax that was repealed a few years ago.

HALLETT – the Mosquito Lake facility group has been working hard and he is perplexed they don't seem to be taken seriously. When he asked the assembly to consider two resolutions, nothing happened. He would like someone to help him direct his energies to solve this problem.

HUGHES - thanked the assembly for keeping the harbor project moving along the timeline. The new harbor is for the future...it will last for 50 years. He encouraged everyone to engage in the project.

15. **ANNOUNCEMENTS/ASSEMBLY COMMENTS**

WATERMAN – asked the manager for an update on his interactions with the Mosquito Lake facility group, and **SOSA** explained.

JACKSON – asked about PCE credit for borough buildings. **SOSA** explained not every building qualifies; certain criteria have to be met.

CAMPBELL – it was a successful Freeride World Tour event; he received many positive comments. He thanked the community for welcoming the participants.

CASE – in response to **SCOTT's** public comment early in the meeting, he asked for the minutes to include the wording from the public notice for the most recent community purpose exemptions (CPE) meeting. He believes it was clearly noticed. [*Clerk's response to this request: The official public notice as posted on the website and around town was as follows:*

BOROUGH MANAGER'S CPE WORKING GROUP

Thursday, 3/19/15 – 3:30 pm

TOPIC:

Community Purpose Exemptions

This is a borough manager working group and, as such, is not ordinarily subject to the Alaska Open Meetings Act and public notice requirements. However, there may be a quorum of assembly members present, so it is being publicly noticed to keep the public informed. Although there may be more than 3 assembly members present, no action will be taken.]

JACKSON – thanked the manager for the work on the CPE and thanked **HUGHES** for bringing the harbor plans to the community. Board training is needed ASAP.

Mayor **HILL** – agreed the Freeride World Tour event was extremely successful. The participants were very happy. Haines is also getting some good press from it.

16. **ADJOURNMENT** – 8:52 p.m.

Motion: **WATERMAN** moved to “adjourn the meeting,” and the motion carried unanimously.

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk